

Assembly Bill No. 2265

CHAPTER 931

An act to add and repeal Article 3 (commencing with Section 54035) of Chapter 1 of Part 29 of the Education Code, relating to summer school.

[Approved by Governor September 25, 1996. Filed
with Secretary of State September 26, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2265, Villaraigosa. Back to Basics Summer School Reading Program of 1996.

Existing law limits a school district's maximum reimbursement for pupil attendance in summer school programs. These programs include mandatory summer school for graduating seniors and pupils in grade 11 who would otherwise not graduate with their class and pupils in grades 7 to 12, inclusive, who do not meet the school district's adopted proficiency standards; core academic area programs; general vocational work experience education; voluntary Saturday school; and voluntary after-school programs in multitrack year-round schools. Existing law, which is currently sunsetted, sets forth a method for allocating economic impact aid to school districts to replace funds previously authorized for the support of educationally disadvantaged youth programs and for bilingual education so that the needs of the pupils served by those programs may continue to be met.

This bill would enact the Back to Basics Summer School Reading Program of 1996 and authorize a school district to expend amounts received for the purposes of economic impact aid for that program if all of the following conditions are met:

(1) The English reading ability of more than 10% of pupils enrolled in the school district in any of grades 1 to 3, inclusive, is more than one grade level below the grade level the pupils will be leaving at the end of the school year.

(2) The summer school program is provided solely to pupils who will be leaving any of grades 1 to 3, inclusive, at the end of the school year.

(3) The summer school program is designed solely to increase a pupil's ability to read English.

(4) The school district administers specified standardized reading tests in determining eligibility for enrollment and for continued funding.

(5) The summer school program provided by the school district uses instruction based only on phonics, except as specified.

This bill would require the Superintendent of Public Instruction to evaluate, based on data provided by participating school districts, the Back to Basics Summer School Reading Program of 1996, statewide, and present to the Legislature its findings and recommendations, as specified, on or before January 1, 2000.

This bill would provide for the repeal of the Back to Basics Summer School Reading Program of 1996, as added by this bill, on January 1, 2001.

The people of the State of California do enact as follows:

SECTION 1. Article 3 (commencing with Section 54035) is added to Chapter 1 of Part 29 of the Education Code, to read:

Article 3. Back to Basics Summer School Reading Program of
1996

54035. This article shall be known and may be cited as the Back to Basics Summer School Reading Program of 1996.

54036. (a) Notwithstanding any other provision of law, a school district may expend funds received for the purposes of economic impact aid pursuant to Article 2 (commencing with Section 54000), as specified in the annual Budget Act, for the Back to Basics Summer School Reading Program of 1996 if the following requirements are met:

(1) The English reading ability of more than 10 percent of the pupils enrolled in the school district in any of grades 1 to 3, inclusive, is more than one grade level below the grade level the pupil will be leaving at the end of the school year.

(2) The summer school instruction is provided solely to pupils who will be leaving any of grades 1 to 3, inclusive, at the end of the school year.

(3) The summer school instruction is designed solely to increase a pupil's ability to read English.

(4) Each pupil who applies to participate in a Back to Basics Summer School Reading Program is tested before being enrolled in the program and has a test score that places the pupil in reading at one or more grade levels below the grade level the pupil will be leaving at the end of the school year. A school district shall choose a nationally recognized normed standardized reading test for this purpose.

(5) Each pupil enrolled in a Back to Basics Summer School Reading Program, whether or not the pupil completes the program, is tested at the end of the program with the same nationally recognized normed standardized test administered to determine the pupil's progress in learning how to read English. A pupil enrolled in



the program who moves out of the district before completing the program is not required to be tested pursuant to this paragraph.

(6) Each pupil enrolled in a Back to Basics Summer School Reading Program shall be offered direct reading instruction based on phonics and phonemic awareness. If a school district determines that the ability of its pupils to read English did not improve solely through the use of instruction based on phonics and phonemic awareness, other state-approved instructional methodologies may be used.

(b) The Superintendent of Public Instruction shall submit an evaluation, based on data provided by participating school districts, of the Back to Basics Summer School Reading Program to the Legislature no later than January 1, 2000. The evaluation shall include, but is not limited to, the following:

(1) The number of pupils who, after completing the program, met the minimum English reading performance standards adopted pursuant to Section 60605.

(2) The number of pupils who, after completing the program, did not meet the minimum English reading performance standards adopted pursuant to Section 60605.

(3) The number of pupils who, after completing the program, exceeded by more than 10 percent the minimum English reading performance standards adopted pursuant to Section 60605.

(4) A recommendation on whether the program should be continued.

(c) Increases in pupils' ability to read English is the sole criterion that shall be used for purposes of determining the success of summer school instruction provided pursuant to this section.

SEC. 2. Article 3 (commencing with Section 54035) of Chapter 1 of Part 29 of the Education Code, as added by Section 1 of this act, shall remain in effect only until January 1, 2001, and as of that date is repealed.

SEC. 3. It is the intent of the Legislature that the enactment of the Back to Basics Summer School Reading Program of 1996 established under Article 3 (commencing with Section 54035) of Chapter 1 of Part 29 of the Education Code shall not require any new General Fund appropriations and that school districts fund the program with existing resources and that the evaluation of the program conducted by the Superintendent of Public Instruction be funded with existing resources available to the State Department of Education.

